Serial No. 10/823,544 Preliminary Amendment filed August 30, 2004

## REMARKS

The "Notice of Non-Complaint Amendment" under paragraph 4 "Amendments to the claims", subparagraph E/"Other", indicates "Amd. needs to be filed separate from the transmittal". It appears this requirement was directed to the amendment to the specification contained in the original transmittal letter, which amendment provided the parent application data. This amendment has been presented above, with appropriate updated information providing the patent number and issue date of the parent.

Action on the merits is solicited.

Respectfully submitted,

Date: August 30, 2004

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## **PETITION** and

## **DEPOSIT ACCOUNT CHARGE AUTHORIZATION**

This document and any concurrently filed papers are believed to be timely. Should any extension of the term be required, applicant hereby petitions the Director for such extension and requests that any applicable petition fee be charged to Deposit Account No. 50-1645.

If fee payment is enclosed, this amount is believed to be correct. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. <u>50-1645</u>.

Any additional fee(s) necessary to effect the proper and timely filing of the accompanying-papers may also be charged to Deposit Account No. <u>50-1645</u>.